

STATE OF WISCONSIN VILLAGE OF RICHFIELD WASHINGTON COUNTY
ORDINANCE O2022-07-01

AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 70 OF THE MUNICIPAL CODE

WHEREAS, the Village of Richfield Village Board adopted a zoning code for the Village of Richfield and has amended it from time to time; and

WHEREAS, that zoning code is codified as Chapter 70 of the Village of Richfield Municipal Code, titled “Zoning;” and

WHEREAS, the Village initiated an effort to rewrite the zoning code by appointing an advisory committee consisting of three (3) members- Village President John Jeffords, Plan Commission Chairman Jim Otto and Board of Zoning Appeals Member Jack Lietzau; and

WHEREAS, the advisory committee prepared an initial draft of the new zoning code and submitted it to the Plan Commission for review and consideration; and

WHEREAS, the Plan Commission reviewed such draft and made revisions deemed appropriate; and

WHEREAS, the Plan Commission finalized the proposed zoning code at their meeting on April 7, 2022 and recommended approval to the Village Board; and

WHEREAS, the Village Board conducted a public hearing on May 19, 2022 to accept public input and take action deemed appropriate; and

WHEREAS, the Village Board finds that the recommended revisions to the Village’s zoning regulations can be interpreted to be a down zoning ordinance because it may decrease the development density of land or reduce the permitted uses of land, and therefore the super majority requirement in s. 66.10015, Wis. Stats, applies to this ordinance, requiring a vote in favor by two-thirds of the members-elect of the Village Board for passage and adoption; and

WHEREAS, the Village Board for the Village of Richfield, after carefully reviewing the recommendation of the Plan Commission for the Village of Richfield and having given the matter due consideration having determined that all procedural requirements and notice requirements have been satisfied, and having based its determination on the effect of the adoption of the ordinance on the health, safety and welfare of the community and the preservation and enhancement of property values in the community, and having given due consideration to the municipal problems involved hereby determine that the ordinance amendment will serve the public health, safety and general welfare of the Village of Richfield, will enhance property values in the Village and will not be hazardous, harmful, noxious, offensive or a nuisance, and will not unduly limit or restrict the use of property in the Village or

for any other reason cause a substantial adverse effect on the property values and general desirability of the Village.

NOW, THEREFORE BE IT RESOLVED, the Village of Richfield Village Board, Washington County, Wisconsin ORDAINS AS FOLLOWS:

Section 1. Chapter 70 of the Village of Richfield municipal code entitled “Zoning,” is hereby repealed and recreated as Chapter 170 to read as indicated in Exhibit A, attached hereto.

Section 2. Severability. Several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 3. Effective Date. This ordinance shall become effective upon passage and publication/posting.

Adopted this 19th day of May, 2022.

Attest:

John Jeffords, Village President

Jim Healy, Village Clerk/Administrator